

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**ROYAL WHITAKER III and  
SUSAN WHITAKER,**

**Plaintiffs,**

**vs.**

**TRANS UNION CORPORATION,  
EXPERIAN INFORMATION  
SOLUTIONS, INC., and  
CSC CREDIT SERVICES, INC.,**

**Defendants.**

**CIVIL ACTION**

**No. 03-2551-CM**

**ORDER**

On February 4, 2005, the Honorable G. Thomas VanBebber entered judgment for defendants and against plaintiffs in this case. Although the court originally disallowed costs, defendant Trans Union Corporation asked the court to reconsider its decision, and the court ruled that defendant Trans Union was entitled to its costs in an Order dated October 14, 2005. The Clerk of the Court taxed costs in the amount of \$3,435.32 on February 24, 2006, and plaintiffs filed an Objection to Bill of Costs on February 28, 2006. The court then retaxed costs in the amount of \$2,167.60 on August 8, 2006. On August 14, 2006, plaintiffs filed a second motion to retax costs (Doc. 249). The court denied that motion on August 21, 2006. Plaintiffs have now filed a third motion regarding taxation of costs—Motion for Reconsideration for Allowance of Taxation of Deposition Costs (Doc. 251).

The court's decision remains the same: Plaintiffs do not offer a valid reason why the court should reconsider its prior decision retaxing costs or retax costs a second time. Plaintiffs now present legal authority in support of their position, but a motion to reconsider is not to be used to

rehash arguments or raise arguments and cite authorities that a party could have previously presented. *See Achey v. Linn County Bank*, 174 F.R.D. 489, 490 (D. Kan. 1997). “A party’s failure to present its strongest case in the first instance does not entitle it to a second [or third] chance in the form of a motion to reconsider.” *Sithon Maritime Co. v. Holiday Mansion*, 177 F.R.D. 504, 505 (D. Kan. 1998). For these reasons, the court denies plaintiffs’ motion to reconsider (Doc. 251).

**IT IS SO ORDERED.**

Dated this 21st day of September 2006, at Kansas City, Kansas.

s/ Carlos Murguia  
**CARLOS MURGUIA**  
**United States District Judge**